

**COMBINED DECLARATION AND
POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

Attorney Docket No.

A48.12-0014

SPECIFICATION AND INVENTORSHIP IDENTIFICATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled OPTICAL DEVICE the specification of which,

(check one) ☒ is attached hereto.
☐ was filed on _____ as Appln. No. _____.
☐ and was amended on _____.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with 37 C.F.R. § 1.56.

PRIORITY CLAIM (35 U.S.C. § 119)

Prior Foreign Application(s)

I claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below, each of which is incorporated by reference in its entirety, , each of which is incorporated by reference in its entirety, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional Application(s) listed below, each of which is incorporated by reference in its entirety:

Number	Day/Month/Year Filed
_____	_____
_____	_____

Inventor: Timothy A. Skunes
(Signature)

Date: 31 July 2001

Inventor: Timothy A. Skunes
(Printed Name)

Residence: Mahtomedi, Minnesota

Citizenship: U.S.A.

P.O. Address: 102 Dylan Court, Mahtomedi, Minnesota 55115

Inventor: Gregory S. Mowry
(Signature)

Date: 31 July 2001

Inventor: Gregory S. Mowry
(Printed Name)

Residence: Burnsville, Minnesota

Citizenship: U.S.A.

P.O. Address: 18 Geneva Boulevard, Burnsville, Minnesota 55306

**STATEMENT CLAIMING
SMALL ENTITY STATUS
(SMALL BUSINESS CONCERN)**

Attorney Docket No.

A48.12-0014

First Named
Inventor : Steven K. Case et al.

Title : OPTICAL DEVICE

With respect to the invention described in

☒ the application filed herewith:

Application No. _____, filed _____:

Patent No. _____, issued _____:

I. IDENTIFICATION OF DECLARANT AND ANY RIGHTS AS A SMALL ENTITY

I am:

 the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on
behalf of the concern identified below:

NAME OF CONCERN Avanti Optics Corporation

ADDRESS OF CONCERN 13755 First Avenue North, Suite 500
Minneapolis, Minnesota 55441

The above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and (b).

II. OWNERSHIP OF INVENTION BY DECLARANT

Rights under contract or law remain with or have been conveyed to the above-identified concern. If the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person who could not be classified as (1) an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, (2) a small business concern under 37 C.F.R. § 1.9(d) or (3) a non-profit organization under 37 C.F.R. § 1.9(e).

☒ There is no such person, concern, or organization.

 The person, concerns or organizations are listed below:

FULL NAME _____

ADDRESS _____

- [] Individual
[] Small Business Concern
[] Non-Profit Organization

III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change resulting in loss of entitlement to small entity status pursuant to 37 C.F.R. § 1.28(b).

IV. SIGNATURES

SIGNATURE Timothy A. Skunes

Date: 31 July 2001

NAME OF PERSON SIGNING Timothy A. Skunes

TITLE OF PERSON Vice President Systems Development

ADDRESS OF PERSON SIGNING 13755 First Avenue North, Suite 500, Minneapolis, Minnesota 55441